E/2012/30/Add.1
E/CN.15/2012/24/Add.1

United Nations

Commission on Crime Prevention and Criminal Justice

Report on the reconvened twenty-first session (6-7 December 2012)

Economic and Social Council
Official Records, 2012
Supplement No. 10A

E/2012/30/Add.1
E/CN.15/2012/24/Add.1

Economic and Social Council
Official Records, 2012
Supplement No. 10A

Commission on Crime Prevention and Criminal Justice

Report on the reconvened twenty-first session (6-7 December 2012)

United Nations • New York, 2013

Note

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

ISSN 0257-0653

[14 December 2012]

Contents

Chapter		*Page*
I.	Matters calling for action by the Economic and Social Council or brought to its attention	1
	Draft decision for adoption by the Economic and Social Council	1
	Report of the Commission on Crime Prevention and Criminal Justice on its reconvened twenty-first session	1
II.	Strategic management, budgetary and administrative questions	2
	A. Deliberations	2
	B. Action taken by the Commission	3
III.	Provisional agenda for the twenty-second session of the Commission	4
	A. Deliberations	4
	B. Action taken by the Commission	5
IV.	Other business	6
	Deliberations	6
V.	Adoption of the report of the Commission on its reconvened twenty-first session	7
VI.	Organization of the session and administrative matters	8
	A. Opening and duration of the session	8
	B. Attendance	8
	C. Election of officers	8
	D. Documentation	9
	E. Closure of the reconvened twenty-first session	9
Annex		
	Statement of the co-chairs of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime	10

Chapter I

Matters calling for action by the Economic and Social Council or brought to its attention

Draft decision for adoption by the Economic and Social Council

1. The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the adoption of the following draft decision:

Draft decision

Report of the Commission on Crime Prevention and Criminal Justice on its reconvened twenty-first session

The Economic and Social Council takes note of the report of the Commission on Crime Prevention and Criminal Justice on its reconvened twenty-first session.

Chapter II

Strategic management, budgetary and administrative questions

2. At the 1st meeting of the Commission on Crime Prevention and Criminal Justice, jointly held with the Commission on Narcotic Drugs, on 6 December 2012, the Commission considered agenda item 3, which read as follows:

"Strategic management, budgetary and administrative questions:

"(a) Work of the working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime;

"(b) Directives on policy and budgetary issues for the United Nations crime prevention and criminal justice programme."

3. For its consideration of agenda item 3, the Commission had before it the following:

(a) Note by the Secretariat on the work of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime (E/CN.7/2012/12/Add.1-E/CN.15/2012/12/Add.1);

(b) Statement by the co-chairs of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime (E/CN.7/2012/CRP.9-E/CN.15/2012/CRP.7).

4. The Director of the Division for Management of the United Nations Office on Drugs and Crime (UNODC), the Chief of the Financial Resources Management Service and the representative of Spain, in his capacity as co-chair of the standing open-ended intergovernmental working group on improving the governance and financial situation of UNODC, made introductory statements.

5. Statements were made by the representatives of the Islamic Republic of Iran, Japan, the Russian Federation, Mexico, Pakistan and the United States of America. A statement was also made by the observer for the Netherlands.

A. Deliberations

6. Speakers welcomed the joint meetings of the Commissions at their reconvened sessions as an opportunity to increase synergies with regard to the relevant items of their respective agendas.

7. The representative of Spain, speaking in his capacity as co-chair of the standing open-ended intergovernmental working group on improving the governance and financial situation of UNODC, presented a summary of the work of the working group. He also read out a statement by the co-chairs of the working group and invited the Commission to take note of that statement and to reflect the statement in the report on the reconvened twenty-first session.

8. Speakers acknowledged the achievements of the working group and the work of the co-chairs. The working group had proved to be a useful forum for exchanging information and enhancing dialogue on issues such as the progress made by UNODC in its integrated programme approach, as well as ways of improving the governance and financial situation of the Office. Broad support was expressed for a renewal of the mandate of the working group at the next session of the Commission. In that regard, it was mentioned that an annual structured workplan, duly approved by Member States, would be welcomed. Some delegates proposed the transformation of the working group into a permanent body, in line with one of the recommendations contained in the opening statement delivered by the observer of Peru, on behalf of the Group of 77 and China. Some delegates proposed that the working group should remain in its present format.

9. Many speakers addressed the financial situation of UNODC. Concern was expressed regarding the sustainability and predictability of funding and the ability of UNODC to carry out its work, especially in the light of the downward trend in general-purpose contributions. The importance of transparency, oversight and evaluation was stressed. Ownership of technical assistance programmes by recipient countries was considered crucial.

10. Several speakers welcomed the UNODC fundraising strategy, as a basis for further discussions, as well as the concrete proposals aimed at improving the financial situation of the Office. The importance of efforts to increase regular budget allocations was stressed. Donors were encouraged to refrain from reducing contributions to the general-purpose fund. While some delegates supported the concept of core functions and acknowledged its importance for increasing efficiencies in funding the mandated work of UNODC, one delegation discouraged reference to that concept, in line with the guidance provided by the Advisory Committee on Administrative and Budgetary Questions in that regard.

11. Many speakers stressed the need for further discussions within the working group on issues relating to fundraising matters. More specifically, the Secretariat was requested to provide Member States with further information on practical examples of the impact of full cost recovery on projects and programmes, as well as the expenditure and allocation of funds by UNODC. It was added that matters of concern included the hard earmarking of contributions. The importance of coordination between Member States' representatives in Vienna and New York concerning priorities to be reflected in decisions on the regular budget of the United Nations was also emphasized.

12. The Chief of the Financial Resources Management Service provided information on the UNODC financial statements on the biennium ended 31 December 2011, and to the unqualified audit opinion received from the Board of Auditors thereon.

B. Action taken by the Commission

13. At its 2nd meeting, on 7 December 2012, the Commission took note of the statement of the co-chairs of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime (see annex).

Chapter III

Provisional agenda for the twenty-second session of the Commission

14. At its 2nd meeting, on 7 December 2012, the Commission considered agenda item 9, entitled "Provisional agenda for the twenty-second session of the Commission".

15. For its consideration, the Commission had before it a proposal of possible sub-themes for the thematic discussion at the twenty-second session (E/CN.15/2012/CRP.8).

16. The Chairperson introduced the item and brought to the attention of the Commission matters relating to the organization of its twenty-second session. The representatives of the United States, China and the Russian Federation made statements.

A. Deliberations

1. Duration of the twenty-second session and other arrangements

17. The Chairperson recalled that, at the intersessional meeting held on 2 October 2012, there had been agreement that the twenty-second session of the Commission should have a duration of five days and should be held from Monday, 22 April, to Friday, 26 April 2013, with pre-session consultations on Friday, 19 April 2013. The Chairperson further recalled that the joint meeting of the extended bureaux of the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice on 22 May 2012 had recommended 12 and 13 December 2013 as dates for the reconvened twenty-second session of the Commission.

18. The Commission was reminded that, in accordance with its decision 21/1, the deadline for the submission of draft resolutions to be considered at the twenty-second session was three weeks prior to the commencement of the session, namely Tuesday, 2 April 2013, at noon.

2. Thematic discussion

19. The Commission was informed that the extended bureau, at its meeting on 4 December 2012, had recommended a consensus proposal of sub-themes for the thematic discussion to be held by the Commission at its twenty-second session:

(a) During the morning meetings, the Commission would address the following sub-themes related to challenges posed by emerging forms of crime that have a significant impact on the environment:

(i) "Emerging trends and challenges, including those linked to data collection and its analysis, criminalization and criminal justice";

(ii) "Challenges linked to related offences";

(b) During the afternoon meeting, the Commission would address the following sub-themes related to possible responses, programmes and initiatives to

deal effectively with forms of crime that have a significant impact on the environment:

(i) "Possible ways to increase effectiveness of preventive and responsive measures of criminal justice systems, including using existing international treaties to combat crime, as well as on the basis of strengthening partnerships between public and private sectors and civil society";

(ii) "International collaboration and partnerships, including the role of the United Nations Office on Drugs and Crime in counteracting unlawful conduct that may have a negative impact on the environment".

3. Nominations of panellists for the thematic discussion

20. Regional groups were requested to nominate one panellist for the morning session and one panellist for the afternoon session. The nominations were to be submitted to the Secretariat two months in advance of the twenty-second session of the Commission, at the latest by 22 February 2013, in accordance with Commission decision 18/1.

4. Workshop to be organized by the institutes of the United Nations crime prevention and criminal justice programme network

21. The Commission was informed that the extended bureau, at its meeting on 4 December 2012, had favourably considered a proposal from the United Nations crime prevention and criminal justice programme network to organize, as it had done in previous years, a workshop on a topic related to technical assistance of relevance to the work of the Commission, to be held on the first day of the twenty-second session, to be chaired by a member of the bureau, prior to the consideration by the Committee of the Whole of draft proposals.

B. Action taken by the Commission

22. At its 2nd meeting, on 7 December 2012, the Commission took note of the dates, deadlines and arrangements for its twenty-second session referred to in paragraphs 17-21 above. At the same meeting, the Commission approved the sub-themes for the thematic discussion at its twenty-second session, as reflected in paragraph 19 above.

Chapter IV

Other business

23. At its 2nd meeting, on 7 December 2012, the Commission considered agenda item 10, entitled "Other business", under which it discussed the invitation from the President of the Economic and Social Council to the chairs of the functional commissions soliciting written inputs by their membership on the key issues that should find their place in the post-2015 development agenda.

24. For its consideration of item 10, the Commission had before it E/CN.7/2012/CRP.11-E/CN.15/2012/CRP.9 and Corr.1.

25. The Chairperson introduced the item, noting that the contributions by Member States regarding the post-2015 development agenda, along with a summary of the deliberations on the item during the reconvened twenty-first session would be reflected in her response, as Chairperson of the Commission at its twenty-first session, to the President of the Economic and Social Council. The Deputy Executive Director of UNODC made an introductory statement. Statements were made by the representatives of Belarus, China, Mexico and the Islamic Republic of Iran.

Deliberations

26. Speakers expressed their views on a number of issues for inclusion in the reply by the Chairperson to the President of the Council, which would reflect the individual views expressed by members of the Commission regarding the Commission-related issues that should be considered in the post-2015 development agenda. It was stressed that the post-2015 development agenda was intrinsically linked to sustainable development. Speakers stressed the importance of coordination and long-term engagement by the different parts of the United Nations system, including the functional commissions of the Economic and Social Council, which could contribute, within their respective mandates, to the economic, social and environmental dimensions of sustainable development. Among the issues to be considered in that context were corruption, drug trafficking and organized crime, including trafficking in persons.

27. One speaker underlined the relevance of the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, to be held in Qatar in 2015, for the post-2015 development agenda, emphasizing that the main theme of the Congress was "Integrating crime prevention and criminal justice into the wider United Nations agenda to address social and economic challenges and to promote the rule of law at the national and international levels, and public participation".

Chapter V

Adoption of the report of the Commission on its reconvened twenty-first session

28. At its 2nd meeting, on 7 December 2012, the Commission adopted the parts of its report on the organization of the session and administrative matters and on item 3 of the agenda (E/CN.15/2012/L.1/Add.7 and 8), as orally amended.

29. The Commission also approved a draft decision, orally introduced by the Chairperson, on the report of the Commission on Crime Prevention and Criminal Justice on its reconvened twenty-first session, for adoption by the Economic and Social Council. (For the text, see chap. I.)

Chapter VI

Organization of the session and administrative matters

A. Opening and duration of the session

30. The Commission on Crime Prevention and Criminal Justice held its reconvened twenty-first session in Vienna on 6 and 7 December 2012.

31. The Economic and Social Council, in its decision 2011/259 of 28 July 2011, entitled "Joint meetings of the reconvened sessions of the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice", decided that, starting in 2011, the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice would hold joint meetings during their reconvened sessions for the sole purpose of considering agenda items included in the operational segment of the agendas of both Commissions, with a view to providing integrated policy directives to UNODC on administrative, budgetary and strategic management issues. The Council also decided that the practice of holding back-to-back reconvened sessions of the Commissions should be continued to enable each Commission to consider, in separate meetings, agenda items included in the normative segment of its agenda.

32. In accordance with that decision, one meeting of the Commission on Crime Prevention and Criminal Justice was held jointly with the Commission on Narcotic Drugs on the first day of the reconvened sessions, on 6 December, in order to consider item 3 of the agendas of both Commissions.

33. The remaining items on the agenda were considered thereafter at a separate meeting, held on 7 December, as reflected in the proposed organization of work (E/CN.15/2012/1/Add.1, annex).

34. Opening statements were made by chairpersons of the Commissions and the Deputy Executive Director on behalf of the Executive Director of UNODC. The observers for Peru (on behalf of the Group of 77 and China) and Cyprus (on behalf of the European Union) and the representatives of the Russian Federation, Mexico and the United States also made statements.

B. Attendance

35. The session was attended by representatives of 33 States members of the Commission (7 were not represented). Observers for other States Members of the United Nations, representatives of organizations of the United Nations system and observers for intergovernmental and non-governmental organizations also attended. A list of participants is contained in document E/CN.15/2012/INF/3.

C. Election of officers

36. During the intersessional period of the Commission, the Rapporteur, Martin Krämer (Austria), became unavailable. At the 1st meeting of its reconvened

twenty-first session, on 6 December 2012, the Commission elected Teoman Uykur (Turkey) as Rapporteur for the reconvened twenty-first session.

D. Documentation

37. The documents before the Commission at its reconvened twenty-first session are listed in conference room paper E/CN.15/2012/CRP.6/Add.1.

E. Closure of the reconvened twenty-first session

38. At the 2nd meeting, on 7 December 2012, a closing statement was made by the Chairperson of the Commission.

Annex

Statement of the co-chairs of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime

1. Following the informal meetings of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime (UNODC), the co-chairs submitted the below statement for the consideration of the Commission on Narcotic Drugs at its reconvened fifty-fifth session and the Commission on Crime Prevention and Criminal Justice at its reconvened twenty-first session.

2. In accordance with the mandate set out in Commission on Narcotic Drugs resolution 52/13 and Commission on Crime Prevention and Criminal Justice resolution 18/3, as well as Commission on Narcotic Drugs resolutions 54/10 and 54/17 and Commission on Crime Prevention and Criminal Justice resolutions 20/1 and 20/9, the working group addressed a large number of issues during its recent informal meetings, including (a) supporting the development and implementation of an integrated approach to programme development at UNODC, (b) ensuring adequate follow-up to the development of thematic and regional programmes, (c) promoting measures to improve the funding situation of UNODC and (d) supporting measures to promote a culture of evaluation throughout UNODC at all stages of programme planning, development and implementation.

3. The mandate of the working group will end in the first half of 2013, pursuant to Economic and Social Council decision 2011/258. In 2013, the Commission on Narcotic Drugs at its fifty-sixth session and the Commission on Crime Prevention and Criminal Justice at its twenty-second session are expected to carry out a thorough review of the functioning of the working group and consider the extension of its mandate. With a view to facilitating consultations during the reconvened fifty-fifth session of the Commission on Narcotic Drugs and the reconvened twenty-first session of the Commission on Crime Prevention and Criminal Justice, the working group wishes to bring the following salient issues to the attention of the Commissions for their further consideration, so as to continue building upon Commission on Narcotic Drugs resolution 54/10 and Commission on Crime Prevention and Criminal Justice resolution 20/1:

Continuous support for promoting a culture of evaluation within the United Nations Office on Drugs and Crime at all stages of programme planning, development and implementation

4. The working group has been provided with numerous presentations on evaluation findings, on which occasions participants have reiterated the importance of having a sustainable, effective and operationally independent corporate evaluation function at UNODC, particularly one that was focused on the implementation, performance and impact of thematic and regional programmes.

5. Should the Commissions decide to extend the mandate of the working group, they might wish to request the working group to invite the Independent Evaluation Unit to continue:

(a) Providing the working group with evaluation findings of the thematic and regional programmes of UNODC;

(b) Consulting with the working group on the Unit's activities and results;

(c) Promoting a culture of evaluation throughout UNODC at all stages of programme planning, development and implementation;

(d) Working with UNODC in monitoring the implementation of recommendations made by relevant oversight bodies.

Continuous support for promoting an integrated programme approach

6. The working group has been provided with the initial evaluation findings of the integrated programme approach, which show that such an approach can help UNODC to acquire an integrated regional and thematic perspective and to achieve benefits in terms of improved linkages between policy, strategic planning, programmatic work, mobilization of resources and partnerships with all relevant stakeholders.

7. Should the Commissions decide to extend the mandate of the working group, they might wish to request the working group:

(a) To continue advocating the move by UNODC from a project-based approach to an integrated programme approach;

(b) To continue discussing the integrated programme approach and promoting its organization-wide implementation by UNODC and its governing bodies at all stages of the programme cycles;

(c) To draw on the evaluation findings and lessons learned from the experiences made with the integrated programme approach, when discussing fundraising matters.

Continuous support for strengthening the financial situation of the United Nations Office on Drugs and Crime

8. The working group has on several occasions discussed fundraising issues and ways to achieve a sustainable balance between core and non-core funding for UNODC to ensure delivery capacity and the sustainability of thematic and regional programmes.

9. Should the Commissions decide to extend the mandate of the working group, they might wish to request the working group to give priority attention to the issue of supporting the funding situation and financial management of the Office and assist the Commissions in becoming more actively engaged with further transparency in the biennial consolidated budget process, including its special-purpose funding part, inter alia by:

(a) Being apprised of, and facilitating, the resource mobilization process. This would help to transparently and holistically promote integrated regional and

global programmes, along with their resource requirements, and to enhance funding predictability;

(b) Examining ways to promote the financial sustainability of UNODC, including through the elaboration, on the basis of a suggestion from UNODC, of a system that encourages the sustainability of contributions, including increased core contributions, as well as increased incentives for soft earmarking at the programme level and multi-year funding;

(c) Providing continued advisory guidance on mechanisms to sustain the core infrastructure and delivery capacity of UNODC;

(d) Providing continued support for streamlined and results-based programmatic and financial reporting at the outcome level, including by adopting a cycle of reporting to the working group on the results and priorities of regional and thematic programmes.

Continuous support for improving the governing role and functioning of the Commissions

10. The working group has been provided with an opportunity to discuss progress made with regard to the implementation of resolutions and decisions adopted by the two Commissions on the basis of documentation provided by the Secretariat.

11. Should the Commissions decide to extend the mandate of the working group, they might wish to request the working group to continue discussing progress made with regard to the implementation of resolutions and decisions adopted by the Commissions, after having specified in further detail the frequency, format and content of the reports on the implementation of resolutions to be provided by the Secretariat.

Extending the mandate and reviewing the format and organization of work of the working group

12. Since its inception, the working group has made many achievements, and it has further potential to support the improvement of the governance and financial situation of UNODC, by continuing to be the forum for dialogue among Member States and between Member States and the Secretariat on the development and implementation of the thematic and regional programmes of UNODC and by continuing to discuss on a regular basis financial matters relating to UNODC.

13. Should the Commissions decide to extend the mandate of the working group, they might wish to review the current format and organization of work of the working group at their regular sessions in 2013, thereby considering the concrete proposals submitted by delegations in that regard.